IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 1905 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23/09/2004 in Rev.WPMP SR No.47719 of 2003 in WP NO : 22157 OF 2000 on the file of the High Court.)

Between:

M/s. Jindal Strips Limited, (Ferro Alloys Division) D.No. 58-17-1/1, Sanjivayya Nagar, Near N.A. D. Kotha Road Junction, Visakhapatnam-9 rep by Vice President Shri Sitaram Agarwal

..... APPELLANT

AND

1 The Government of India rep by Secretary, Department of Energy,

New Delhi

2 The National Thermal Power Corporation Ltd., rep by Chairman, Lodhi

Road, New Delhi
3 Power Grid Corporation of India Ltd., rep by Chairman, Hemkunta

Chambers, 10th Floor, 89 Nehru Place, New Delhi.
4 The. A.P. State Electricity Board rep by Secretary, Vidyut Soudha,

Somajiguda, Hyderabad.
5 The A.P. Transmission Corporation Ltd., rep by Chairman and

Managing Director, Vidyut Soudha, Somajiguda, Hyderabad
6 The Superintending Engineer/Operation, A.P. Transco, Vizianagaram
7 The Senior Accounts Officer, Operation Circle, A.P. Transco,

Vizianagaram.

.....RESPONDENTS

Counsel for the Appellant:M/S C.KODANDA RAM
Counsel for the Respondent No.1 : MR.A.RAJASHEKAR REDDY (SC FOR CG)
Counsel for the Respondent Nos.2 and 3: Smt.G.Sudha
Counsel for the Respondent Nos.4 to 7: Smt.M.Vinobha Devi

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Writ petition filed by the appellant earlier was dismissed merely on the ground that representation submitted by the petitioner had been considered by the respondents. The representation was submitted without prejudice to the rights and contentions of the petitioner. Even though some orders were passed thereafter, the grievance of the petitioner-appellant had not been met. As such appeal was filed. A Division Bench of this Court relegated the writ petitioner-appellant to the remedy of preferring review. Review has also been dismissed. Appeal is against the said order.

We are informed that in an identical situation where a writ petition was disposed of on the ground that representation had been decided and when the matter was carried in appeal, another Division Bench of this Court set aside the said order with direction to hear and decide the writ petition afresh in accordance with law and the said writ petition, along with other writ petitions, is pending consideration before the learned single Judge. Reference has been made to the order passed in W.A.No.372 of 2003.

As there has been no consideration of the petitioner-appellant's writ petition on merits, we allow the appeal and set aside the impugned order with direction that the writ petition will be disposed of in accordance with law.

Writ Petition No.22157 of 2000 will now be posted along with W.P.No.5713 of

2000, W.P.No.10201 of 2001, and W.P.No.6287 of 2001 before the learned single Judge.

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DEVINDER GUPTA, CJ

6-12-2004

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M.NARAYANA REDDY, J

Tvr

To

1 The Secretary, Government of India, Department of Energy,

New Delhi

2 The Chairman, National Thermal Power Corporation Ltd., , Lodhi

Road, New Delhi
3 The Chairman, Power Grid Corporation of India Ltd., , Hemkunta

Chambers, 10th Floor, 89 Nehru Place, New Delhi.
4 The Secretary, A.P. State Electricity Board rep by Secretary, Vidyut

Soudha, Somajiguda, Hyderabad.
5 The Chairman and Managing Director, A.P. Transmission Corporation

Ltd., Vidyut Soudha, Somajiguda, Hyderabad
6 The Superintending Engineer/Operation, A.P. Transco, Vizianagaram
7 The Senior Accounts Officer, Operation Circle, A.P. Transco,

Vizianagaram.

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